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PATENT

Attorney Docket No. IBM/151  
Confirmation No. 1431

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Miller      Art Unit: 2157  
 Serial No.: 09/732,189      Examiner: Hussein A. El-chanti  
 Filed: December 7, 2000      Atty. Docket No.: IBM/151  
 For: PEER PROTOCOL STATUS QUERY IN CLUSTERED COMPUTER SYSTEM

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM  
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed September 20, 2005 finally rejecting claims 1-26.

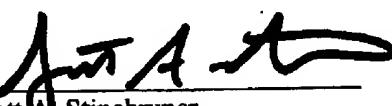
The item(s) checked below are appropriate:

1.  Applicants hereby petition for a \_\_\_\_\_ month extension of time to reply to the final rejection.  
 A check in the amount of \$\_\_\_\_\_ is attached.

2.  Appeal Fee: XXX Other than a small entity Fee: \$500.00  
       Small Entity Status previously Fee: \$\_\_\_\_\_  
       Requested and is still proper  
       Small Entity Status Requested Fee: \$\_\_\_\_\_

3.  Payment        Check attached for the sum of \$\_\_\_\_\_.  
       XXX Please charge the sum of \$500.00 and any deficiency or credit  
 any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

By:   
 Scott A. Stinebruner  
 Reg. No. 38,323

Date: 15 DEC 2005

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**CERTIFICATE OF FACSIMILE TRANSMISSION**  
 I hereby certify that this correspondence and the enclosures noted herein (13 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Hussein A. El-chanti, Art Unit 2157, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 571-273-8300 on December 15, 2005.

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 Notice of Appeal dated December 15, 2005  
 Reply to Final Office Action of 09/20/2005  
 IBM Docket ROC920000125US1  
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12/16/2005 CNGUYEN  Date: December 15, 2005

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